

REMARKS

Claims 1-33 are pending. Claims 34-45 and 46-70 are canceled without prejudice or disclaimer. Applicant respectfully submits that no new matter has been introduced in this Amendment. Reconsideration and allowance of the claims in view of the remarks that follow are respectfully requested.

Objections

In the Final Office Action, the Examiner noted that her prior rejections to the drawings and the specification were rescinded in view of Applicant's responses. The Examiner also requested and Applicant's representative herein agrees to withdraw newly-added claims 46-70 in favor of prosecution in a related case. Applicant thanks the Examiner for her careful consideration of the instant case, as well as related case Serial No. 10/325,742, discussed in more detail below.

Claim Rejections

In the Official Action, the Examiner finally rejected claims 1-33 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,317,260 to Kasten et al. (hereinafter "Kasten"). Applicant again respectfully traverses the Examiner's interpretation of Kasten.

With reference to the related case Serial No. 10/325,742, a divisional of the instant application, the Examiner made several recommendations to posture that case for allowance, and has recently indeed allowed that case.

In line with these prior recommendations, Applicant has amended the title of the instant invention to now read: Dynamic Real-Time Magnetic Resonance Imaging Sequencer.

As previously noted by Applicant and agreed-to by the Examiner, Kasten fails to describe any dynamic, interactive and non-standard pulse sequence formation. Instead, all data entry, whether by user input or mouse, in Kasten creates at best concatenational combinations of standard sequences. In other words, Kasten represents a "canned" approach to magnetic image sequencing formation, readily distinguishable from the dynamic implementation of the present invention..

Claims 1 and 19 have been amended to better describe the dynamic interactiveness of the instant invention over the prior art, including the Kasten reference cited and applied in the Office Action, along with other newer references, such as PG Publication Nos. 20020060566 and 20030002631, and U.S. Patent No. 6,484,048 mentioned by the Examiner in connection with the divisional case. Applicant has also reviewed the various references cited but not applied in the instant Office Action. Applicant respectfully submits that all of these newly-

cited references are not relevant to the instant invention, as also discussed in more detail in connection with the divisional case, or are obviated, as discussed below.

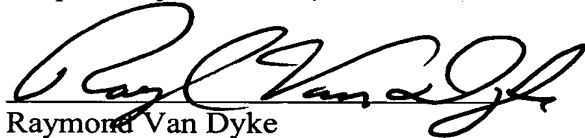
On May 3, 2004, the U.S. Patent & Trademark Office granted Applicant's petition to indicate the appropriate priority of the instant invention to a provisional application, U.S. Provisional Patent Serial No. 60/203,326, filed on May 11, 2000, thereby pre-dating the earliest priority date of the two aforescribed potential PG references cited above as a reference against the instant claims. Applicant respectfully submits that all of the references brought to Applicant's attention are either irrelevant or moot. The provisional filing date is reflected in the Corrected Filing Receipt, and this date is also noted in the amendment to the specification submitted herewith.

In view of the above claim amendments and the proper indication of priority, Applicant respectfully requests that the Examiner reconsider and withdraw her § 102(b) rejection of the claims over Kasten and any other mentioned materials.

Should the Examiner feel that a telephonic or personal interview would be useful in facilitating resolution or allowance in this case, the Examiner is invited to contact Applicant's representative indicated below.

In view of the above remarks, Applicants respectfully assert that the application is in condition for allowance. Prompt examination and allowance are respectfully requested.

Respectfully submitted,



Raymond Van Dyke
Registration No.: 34,746
Suite 900, 401 9th Street, N.W.
Washington, D.C. 20004
Tel: (202) 585-8250
Fax: (202) 442-3199

Date: June 10, 2004